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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA, ) CASE NO. 3-20-70149 JCS  
18 Plaintiff, )  
19 v. ) [PROPOSED] DETENTION ORDER  
20 LARRY ELTON HENLEY, )  
21 Defendant. )

22 On February 7, 2020, defendant Larry Elton Henley was charged by complaint with bank  
23 robbery, in violation Title 18 United States Code Section 2113(a), and armed bank robbery, in violation  
24 of Title 18 United States Code Sections 2113(a) and (d).

25 This matter came before the Court on February 21, 2020, for a detention hearing. The defendant  
26 was present and represented by Mr. Geoffrey Hansen. Assistant United States Attorney Kristina Green  
27 appeared for the government. The government moved for detention, and the defendant opposed. At the  
28 hearing, counsel submitted proffers and arguments regarding detention.

29 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on  
30 the record, the Court finds by a preponderance of the evidence that no condition or combination of  
31 conditions will reasonably assure the appearance of the defendant as required and by clear and

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1 convincing evidence that no condition or combination of conditions will reasonably assure the safety of  
2 any other person or the community. Accordingly, the defendant must be detained pending trial in this  
3 matter.

4 The present order supplements the Court's findings and order at the detention hearing and serves  
5 as written findings of fact and a statement of reasons as required by Title 18, United States Code,  
6 Section 3142(i)(1). As noted on the record, the Court finds by a preponderance of the evidence that no  
7 condition or combination of conditions will reasonably assure the appearance of the defendant as  
8 required, including because the defendant has a history of violating conditions of release and parole. As  
9 noted on the record, the Court finds by clear and convincing evidence that no condition or combination  
10 of conditions will reasonably assure the safety of any other person or the community based in part on the  
11 defendant's criminal history, which includes an in-prison arrest in 2011 for assault by a prisoner. This  
12 finding is made without prejudice to the defendant's right to seek review of defendant's detention, or file  
13 a motion for reconsideration if circumstances warrant it.

14 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

15 1. The defendant be, and hereby is, committed to the custody of the Attorney General for  
16 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
17 sentences or being held in custody pending appeal;

18 2. The defendant be afforded reasonable opportunity for private consultation with counsel;  
19 and

20 3. On order of a court of the United States or on request of an attorney for the government,  
21 the person in charge of the corrections facility in which the defendant is confined shall deliver the  
22 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a  
23 court proceeding.

24 IT IS SO ORDERED.

25  
26 DATED: 2/21/20

27  
28 THE HONORABLE JOSEPH C. SPERO  
United States Chief Magistrate Judge